

**Enrolled Minutes of the Meeting
72nd Regular or Special Meeting
Twenty-Sixth Town Council of Highland
Special Meeting
Monday, December 27, 2010**

The special meeting of the Twenty-Sixth Town Council of the Town of Highland was convened at the regular place, the Highland Municipal, 3333 Ridge Road, Highland, Indiana, in the plenary meeting chambers on **Monday, December 27, 2010** at the time of 5:39 o'clock p.m.

Roll Call: Councilors Bernie Zemen, Brian Novak, Dan Vassar; Konnie Kuiper and Mark A. Herak were present. A quorum was attained. The Clerk-Treasurer Michael W. Griffin was present to memorialize the proceedings.

Others present: John M. Bach, Public Works Director; and Ed Dabrowski, IT Director; and Katy Dowling, Deputy Clerk-Treasurer were also present.

The Town Council President Mark A. Herak presided and the Town Clerk-Treasurer, Michael W. Griffin, was present to memorialize the proceedings.

The session was opened with Councilor Mark A. Herak leading the pledge of allegiance to the United States Flag and offering a prayer.

Agenda Change:

With unanimous consent from the Town Council, the matter under *Unfinished Business and General Orders* was considered out of order.

- 1. Authorization for a three-year term for all departments' antivirus software at a cost of \$5,700 for the three years.**

The Information Technology Director presented his recommendation to permit the obtaining of a license for anti-virus software for a three-year period, moving from the current Trend-Micro product and moving toward Symantec. Councilor Zemen moved to authorize and approve the three-year term at a cost of \$5,700. Councilor Kuiper seconded. Upon a roll call vote, there were five affirmatives and no negatives. The motion passed. The licensing agreement with Symantec was approved at \$5,700 for three years.

Special Orders:

It was noted that Thomas Horgash of the **Horgash Insurance Agency** was not able to attend and submit a proposal, as he was snowed-in at North Carolina.

- 1. Presentations by Insurance Agents for Property, Commercial and other non-health insurance lines for the Town of Highland for FY 2011.**

Bob Bryan, CIC of the Henriott Group
8 North Third Street, Suite 101
Lafayette, Indiana 47901

Mr. Bryan was invited to submit and present his proposal for the insurance coverages for 2011. He offered quotes based upon \$10,000 deductible and \$5,000. The basic underwriter for the coverage was One Beacon. Mr. Bryan represented that he had Cedar Lake, Lake Station, Lafayette, West Lafayette and Cass County as insurance clients. Mr. Bryan also suggested removing the Paid on Call firefighters from the Workers Compensation and include them in

a separate quote for savings. He further noted that current coverage excludes daycare and day camp under General Liability.

After a presentation summary, he offered the following: (see next page)

Line of Coverage	Town's current Program	Henriott w/ same deductibles	Henriott w/ proposed deductibles
	deductibles	deductibles	deductibles
Commercial General Liability	\$ 10,000.00	\$ 10,000.00	5000*
Public Officials Liability	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00
Employment Practices Liability	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00
Law Enforcement Liability	\$ 10,000.00	\$ 10,000.00	\$ 10,000.00
Automobile Liability	\$ 10,000.00	\$ 10,000.00	\$ -
Auto Physical damage	\$500/\$500	\$500/\$500	\$500/\$500
Excess Liability (S.I.R.)	\$ 10,000.00	\$ 10,000.00	\$ -
Property	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00
Inland Marine (Equipment)	\$ 10,000.00	\$ 10,000.00	\$ 2,500.00
Flood	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00
Earthquake	No coverage	No coverage	\$ 25,000.00
Computer Hardware & Media	\$ 1,000.00	\$ 1,000.00	\$ 1,000.00
Crime (Employee Dishonesty)	\$ 500.00	\$ 500.00	\$ 500.00
Terrorism Coverage	Included	Included	Included
Total annual Premium Including			
Commissions and Fees	\$ 224,418.00	\$ 178,518.00	\$ 205,637.00

* Deductible in this case is property damage only and only applies to sewer back-up claims.

Workers Compensation Quote	\$94,639.00	\$ 133,806.00	\$ 133,806.00
General Liability (per occurrence and aggregate)		\$1 million	\$2 million
Professional Liability (per occurrence and aggregate)		\$1 million	\$2 million
Employment Practices: recommended		\$5 million	\$5 million
Commercial umbrella		\$4 million	\$4 million

Thomas Crowel of the Crowel Insurance Companies
8244 Kennedy Avenue
Highland, Indiana 46322

Tom Crowel was joined by Kenneth Cuvala of the Crowel Agency and Bo Collins of Bliss McKnight. Mr. Crowel was invited to submit and present his proposal for the insurance coverages for 2011. He offered quotes based upon \$10,000 deductible and \$5,000. The basic underwriters for the coverage were Chubb Group, Bituminous and Bliss McKnight. Mr. Crowel represented that he had Schererville and Merrillville as insurance clients. The premium summary is as follows: (see next page)

Line of Coverage	Town's current Program	Crowel w/ similar deductibles	Crowel Option 1	Crowel Option 2
	deductibles	deductibles		
Commercial General Liability	\$ 10,000.00			
Public Officials Liability	\$ 10,000.00			
Employment Practices Liability	\$ 10,000.00			
*Multi Class Liability Bodily Injury		\$ -		
*Multi Class Liability Errors & Omissions		\$ 10,000.00		
*Multi Class Liability Civil Rights		\$ 10,000.00		
*Multi Class Liability Fire Damages		\$ 100,000.00		
Wrongful Employment Practices per claim		\$ 10,000.00		
Employee Benefits E & O		\$ 10,000.00		
Law Enforcement Liability	\$ 10,000.00	\$ 10,000.00		
Automobile Liability	\$ 10,000.00	\$ 10,000.00	no deductible	no deductible
Auto Physical damage	\$500/\$500	\$1,000/1,000		
Excess Liability (S.I.R.)	\$ 10,000.00	\$ 10,000.00		
Property	\$ 10,000.00	\$ 10,000.00		
Inland Marine (Equipment)	\$ 10,000.00	\$ 2,500.00		
Flood	\$ 25,000.00	\$ 10,000.00		
Earthquake	No coverage	\$ 50,000.00		
Computer Hardware & Media	\$ 1,000.00	\$ 1,000.00		
Crime (Employee Dishonesty)	\$ 500.00	\$ 2,500.00		
Terrorism Coverage	Included			
Total annual Premium Including				
Commissions and Fees	\$ 224,418.00	\$ 227,383.00	\$ 214,358.00	\$ 239,859.00
Workers Compensation Quote	\$94,639.00	\$ 87,273.00	\$ 87,273.00	\$ 87,273.00
	<u>\$ 319,057.00</u>	<u>\$ 314,656.00</u>	<u>\$ 301,631.00</u>	<u>\$ 327,132.00</u>

General Liability (per occurrence and \$ 100,000.00 \$ 5,000,000.00

* (Includes General Liability, Police Professional, Public Officials, Civil Rights)

Option 1

General Liability (per occurrence & a \$ 3,000,000.00 \$ 6,000,000.00

Deductions at \$10,000 underinsured motorist add \$4,900 to premium

Option 2

General Liability (per occurrence and \$ 3,000,000.00 \$ 6,000,000.00

Deductions at \$2,500 underinsured motorist add \$4,900 to premium

It was noted that the Crowel Agency has been in business since 1964.

Thomas Brown of the Brown Insurance Group

9105-A Indianapolis Blvd., Suite 300

Highland, Indiana 46322

Tom Brown was joined by Karen Meyer of the Brown Insurance Group. Mr. Brown was invited to submit and present his proposal for the insurance coverages for 2011. He offered quotes based upon \$10,000 deductible and \$5,000. The basic underwriters for the coverage

Line of Coverage	Town's current Program	Brown Travelers Renewal Opt 1	Brown Travelers Renewal Opt. 2	Brown HCC Public Risk Burnham & Flower
	deductibles	deductibles		
Commercial General Liability	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00
Public Officials Liability	\$ 10,000.00	\$ 10,000.00	same	\$ 10,000.00
Employment Practices Liability	\$ 10,000.00	\$ 10,000.00	same	\$ 10,000.00
Employee Benefits E & O		\$ 1,000.00	same	\$ 1,000.00
Law Enforcement Liability	\$ 10,000.00	\$ 10,000.00	same	\$ 10,000.00
Automobile Liability	\$ 10,000.00	\$ 10,000.00	\$ 5,000.00	\$ 10,000.00
Auto Physical damage	\$500/\$500	\$500/\$500	same	\$500/\$500
Excess Liability (S.I.R.)	\$ 10,000.00	\$ 10,000.00	same	\$ 10,000.00
Property	\$ 10,000.00	\$ 5,000.00	\$ 5,000.00	\$ 10,000.00
Inland Marine (Equipment)	\$ 10,000.00	\$ 1,000.00	same	\$ 1,000.00
Flood	\$ 25,000.00	\$ 25,000.00	same	\$ 50,000.00
Earthquake	No coverage	Not quoted	Not quoted	
Computer Hardware & Media	\$ 1,000.00	\$ 1,000.00	same	\$ 1,000.00
Crime (Employee Dishonesty)	\$ 500.00	\$ 500.00	same	\$ 500.00
Terrorism Coverage	Included	Included	Included	
Total annual Premium Including Commissions and Fees	\$ 224,418.00	\$ 216,380.00	\$ 228,364.00	\$ 203,388.00
			Terrorism Prem	\$ 1,720.00
				\$ 205,108.00
Workers Compensation Quote	\$94,639.00	\$ 91,312.00	\$ 91,312.00	\$ 91,312.00
	\$ 319,057.00	\$ 307,692.00	\$ 319,676.00	\$ 294,700.00

General Liability (per occurrence & a\$	\$ 1,000,000.00	\$ 2,000,000.00
General Umbrella	\$ 4,000,000.00	\$ 4,000,000.00

HCC/ Burnham & Flower

General Liability (per occurrence & a\$	\$ 1,000,000.00	\$ 3,000,000.00
General Umbrella	\$ 4,000,000.00	\$ 4,000,000.00

were choices of Travelers or HHC, and Indiana Public Employees Plan for Workers Compensation. Mr. Brown spoke of his long association with the Town and the several professional certifications he and his staff have attained. He further spoke of his strong professional preference to write these types of insurance lines for municipalities. Mr. Brown also quoted the Workers Compensation based upon IPEP. The premium summary is as follows:

2. **Disposition of the high consumption located at 2617 40th Place, Highland.** The Public Works Director and the Town Council discussed the disposition of this matter as acted upon by the Board of Waterworks Directors. The Public Works Director briefed the Town Council on how the water was consumed, had passed through the customer meter and noting that there were no mitigating circumstances from which the consumption could be adjusted. It was noted that the Waterworks Board acted to not adjust or waive the consumption but it authorized a payment plan for the customer, waiving the interest and penalties.
3. **Discussion of Snow Routes and Sidewalks.** The Town Council and the Public Works Director discussed the removal of snow in commercial areas and in residential. It was noted that an ordinance is in effect requiring after 48 hours removal of snow from sidewalks. The discussion included whether or not this provision was enforced and whether or not the Snow Route regulation was enforced.
4. **Business License Guidance.** The Town Council and the Clerk-Treasurer discussed guidance on the Business license ordinance and how many licenses should be required of duplexes,

noting that one for each address will not be required but one for each site. It was further affirmed that the license for each single family dwelling that is rented shall be the standard, and it may be a single license if a business is operating the several homes and has a an office in which the public may see the license on display, i.e. not a home office.

5. **Forty-fifth Avenue Resurfacing Project.** The Town Council and the Public Works Director discussed the condition of the roadway in which it recently had an uneven surface and was experiencing some heaving. It was noted that the project just ended was a milling and resurfacing project, and did not deal with the substrata or supporting surface of the street. The Public Works Director noted that the recent project was funded under the ARRA and was intended to allow for the road to be sufficient for perhaps up to 7 years. The public Works Director suggested that after that time, Federal Highway Funding would be sought to support a reconstruction of 45th Avenue from Kennedy Avenue to Kleinman Road.
6. **Discussion about the Insurance Proposals.** The Town Council discussed the elements and merits of the just received proposals. The discussion included some expressing sentiments about preferring agents or agencies that operated in Highland. It was noted that the scope of notice allowed for the Town Council to act if needed. The Council also discussed the merits of allowing members to fully review the materials submitted and to check with surrounding communities mentioned by the agents to inquire about issues of service and satisfaction, and related due diligence. The discussion included the sentiments of some, to not convene another meeting on the matter.

Councilor Kuiper moved and Councilor Vassar seconded to select Crowel Insurance as the agent of record and to approve the proposal described as the premium summary (located on page 9 in the presentation materials) with the stated premium of \$ 314,656.

Matter postponed to a Special Meeting. Councilor Novak moved and Councilor Zemen seconded to post pone the pending motion and to convene a special meeting of the Town Council to consider the matter on Thursday, December 30, 2010 at 6:30 p.m. Upon a roll call vote, there were three affirmatives and two negatives. With Councilors Zemen, Novak and Herak voting in the affirmative and Councilors Vassar and Kuiper voting in the negative, the motion passed. The matter would be considered at a special meeting of **Thursday, December 30, 2010 at 6:30 p.m. in the usual place.**

The Clerk-Treasurer prepared the proper notice pursuant to IC 5-14-1.5 et seq.

Councilor Vassar moved and Councilor Kuiper seconded, that the special meeting of the Highland Town Council of **Monday, December 27, 2010**, be adjourned. Upon a vote *viva voce*, the motion passed. The special meeting of the Highland Town Council was adjourned at 8:55 o'clock p.m.

Michael W. Griffin, IAMC/MMC/CPFA
Clerk-Treasurer